

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARCIE HAMILTON,

Plaintiff,

v.

JUUL LABS, INC.,

Defendant.

Case No. 20-cv-03710-EMC (SK)

**ORDER GRANTING THIRD
STIPULATION TO EXTEND TIME**

Regarding Docket No. 74

STIPULATION

Pursuant to Civil Local Rule 6-1(b) and 6-2(a), Defendant Juul Labs, Inc. (“JLI”) and Plaintiff Marcie Hamilton (“Hamilton”) (JLI and Hamilton are referred to collectively herein as “the Parties”), through their attorneys of record, hereby stipulate and respectfully request that the Court further enlarge the time for the parties to submit competing search terms to the Court if they cannot reach agreement on search terms.

1. WHEREAS, on June 25, 2021, Magistrate Judge Sallie Kim issued an Order Regarding Joint Discovery Letter Brief (ECF 61) ordering, in part, that: (a) Defendant produce a deponent pursuant to Fed. R. Civ. P. 30(b)(6) regarding the custodian(s) of records for the documents Plaintiffs seek within 14 days of the date of the Order unless both parties agreed to extend that time; and (b) the parties either meet and confer further or, if they cannot agree on search terms, to each submit to the Court competing search terms by July 23, 2021.

2. WHEREAS, on July 19, 2021, the parties submitted a Stipulation To Enlarge Time For Submitting Competing Search Terms To The Court (ECF 70, the “Stipulation”) and, pursuant to such Stipulation, the Court ordered as follows (ECF 71, the “Order”):

- a. The time for Defendant to produce a deponent pursuant to Fed. R. Civ. P. 30(b)(6) regarding the custodian of records for the documents Plaintiff seeks is hereby

extended to August 6, 2021 to allow additional time to meet and confer and identify potential custodians absent the need for such deposition. This time can be further extended by mutual agreement of the parties without order of the Court; and

b. The time for the parties to submit competing search terms to the Court pursuant to the Court's June 25, 2021 Order Regarding Joint Discovery Letter Brief (ECF 61) is hereby extended until August 20, 2021 to allow additional time to meet and confer and attempt to reach agreement regarding search terms.

3. WHEREAS, on August 4, 2021, the parties submitted a Second Stipulation To Enlarge Time For Submitting Competing Search Terms To The Court (ECF 72, the "Second Stipulation") and, pursuant to such Second Stipulation, the Court ordered as follows (ECF 73, the "Second Order"):

a. The time for Defendant to produce a deponent pursuant to Fed. R. Civ. P. 30(b)(6) regarding the custodian of records for the documents Plaintiff seeks is hereby extended to August 20, 2021 to allow additional time to meet and confer and identify potential custodians absent the need for such deposition. This time can be further extended by mutual agreement of the parties without order of the Court; and

b. The time for the parties to submit competing search terms to the Court pursuant to the Court's June 25, 2021 Order Regarding Joint Discovery Letter Brief (ECF 61) is hereby extended until September 2, 2021 to allow additional time to meet and confer and attempt to reach agreement regarding search terms.

4. WHEREAS, the parties are currently engaged in active settlement discussions.

5. WHEREAS, the parties have agreed to further extend the time for a 30(b)(6) deposition for an additional two weeks, until September 3, 2021, to continue their settlement discussions and, if necessary, allow more time to meet and confer and identify potential custodians absent the need for such deposition.

6. WHEREAS, the parties have also agreed to extend the time for submitting competing search terms to the Court for an additional two weeks, until September 16, 2021, to

1 continue their settlement discussions and, if necessary, allow additional time to meet and confer
2 and attempt to reach agreement regarding search terms.

3 7. WHEREAS, the Case Management and Pretrial Order issued by Judge Chen on
4 June 24, 2021 (ECF 63) sets a non-expert discovery cut-off date of June 24, 2022.

5 8. WHEREAS, they only previous stipulated time modifications to any discovery
6 deadlines in this case are those set forth in the Stipulation (ECF 70) and Second Stipulation (ECF
7 72) and the related Order (ECF 71) and Second Order (ECF 73), as noted in Paragraphs 2 and 3
8 above.

9 NOW, THEREFORE, the Parties, through their respective counsel of record, STIPULATE
10 AND AGREE to the following modifications to the Court's June 25, 2021 Order Regarding Joint
11 Discovery Letter Brief (ECF 61), their previous Stipulations (ECF 70 and 72), and the Court's
12 Orders granting the same (ECF 71 and 73):

13 1. The time for Defendant to produce a deponent pursuant to Fed. R. Civ. P. 30(b)(6)
14 regarding the custodian of records for the documents Plaintiffs seek is hereby extended to
15 September 3, 2021 to allow the Parties additional time to continue their settlement discussions
16 and, if necessary, allow additional time to meet and confer and attempt to reach agreement
17 regarding search terms. This time can be further extended by mutual agreement of the parties
18 without order of the Court.

19 2. The time for the parties to submit competing search terms to the Court pursuant to
20 the Court's June 25, 2021 Order Regarding Joint Discovery Letter Brief (ECF 61) is hereby
21 extended until September 16, 2021 to allow the Parties additional time to continue their settlement
22 discussions and, if necessary, allow additional time to meet and confer and attempt to reach
23 agreement regarding search terms.

24
25 **IT IS SO STIPULATED AND AGREED.**

26 Dated: August 19, 2021

CURLEY, HURTGEN & JOHNSRUD LLP

By /s/ Brian L. Johnsrud
BRIAN L. JOHNSRUD
Attorneys for Defendant
JUUL LABS, INC.

Dated: August 19, 2021

BAKER CURTIS & SCHWARTZ, P.C.

By /s/ Chris Baker
CHRIS BAKER
Attorneys for Plaintiff
MARCIE HAMILTON

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest that I have obtained concurrence regarding the filing of this document from the other signatories to the document.

Dated: August 19, 2021

CURLEY, HURTGEN & JOHNSRUD LLP

By /s/ Brian L. Johnsrud
BRIAN L. JOHNSRUD
Attorneys for Defendant
JUUL LABS, INC.

ORDER

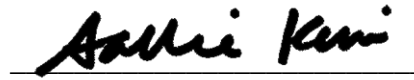
Pursuant to the parties' Third Joint Stipulation To Enlarge Time For Submitting Competing Search Terms To The Court, it is hereby ordered that:

1. The time for Defendant to produce a deponent pursuant to Fed. R. Civ. P. 30(b)(6) regarding the custodian(s) of records for the documents Plaintiff seeks is hereby extended to September 3, 2021. This time can be further extended by mutual agreement of the parties without order of the Court.

2. The time for the parties to submit competing search terms to the Court pursuant to the Court's June 25, 2021 Order Regarding Joint Discovery Letter Brief (ECF 61) is hereby extended until September 16, 2021.

IT IS SO ORDERED.

Dated: August 19, 2021



SALLIE KIM
United States Magistrate Judge